

ZULIMA V. FARBER
ATTORNEY GENERAL OF NEW JERSEY
Richard J. Hughes Justice Complex
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FILED

September 14, 2006

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Kay R. Ehrenkrantz
Deputy Attorney General
(609) 984-4654

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS
OAL DOCKET NO. BDSME 00775-2006S

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

:

Administrative Action

RICHARD HELLANDER, M.D.
LICENSE NO. MD 45591

:

CONSENT ORDER

TO PRACTICE MEDICINE AND
SURGERY IN THE STATE OF NEW
JERSEY

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This matter was opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of information pertaining to Richard Hellander, M.D. ("Respondent") and his diagnostic testing company, Richard Hellander, M.D., P.C. On October 27, 2004, Respondent appeared at a Preliminary Evaluation Committee of the Board. Respondent is a physician in the State of New Jersey and has been a licensee at all times relevant hereto, although he

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lacked a current license, pursuant to statute, between July 2003 and January 2004.

On January 3, 2006, the Attorney General filed a Complaint alleging that:

1. During the year 2000, Respondent had inappropriately billed for at least one hundred diagnostic paraspinal ultrasounds;
2. Respondent had failed to develop written protocols in his role as collaborating physician for a nurse practitioner practice;
3. Respondent had failed to properly comply with the requirements of a physician in a multi-disciplinary practice, Browerton Medical and Rehab Assoc., P.C.; and
4. Respondent failed to properly renew his biennial license and failed to properly report his financial interests in several healthcare facilities.

On January 30, 2006, Respondent filed an Answer denying the allegations of violative conduct. The matter was transmitted to the OAL as a contested case and is presently docketed with the Honorable Jeff S. Masin, ALJ. Respondent has admitted that, while he treated no New Jersey patients, he billed from New Jersey for diagnostic paraspinal ultrasounds on New York patients; that he failed to properly renew and complete the information required on the biennial renewal forms; and that he did not complete sufficient written protocols as a consulting physician.

On the facts stated in the paragraph above, the Board finds that Respondent violated N.J.S.A. 45:1-21(e), based on his violations of N.J.A.C. 13:35-6.1, 13:35-2.6(c), 13:35-6.16, a violation of N.J.S.A. 45:1-21(h), and N.J.S.A. 45:9-6.1.

The Board finding the within disposition adequately protective of the public health, safety and welfare and other good cause shown,

ON THIS 13th DAY OF SEPTEMBER, 2006, IT IS ORDERED AND AGREED THAT:

1. Respondent's license to practice medicine and surgery in the State of New Jersey shall be and hereby is suspended for a period of three (3) years, with the first six (6) months serving as an active suspension and the remainder served as a period of probation, without restriction except as stated herein, effective October 1, 2006. Respondent shall observe the Directives Applicable to a Licensee Whose License Has Been Disciplined, which are attached to this Order.
2. Respondent shall successfully complete a Board approved ethics course before his active suspension concludes.
3. Respondent shall pay \$15,000 in penalties within twenty-four (24) months of the date the Order is filed.

4. Respondent shall pay \$20,000 in costs within twenty-four (24) months of the date the Order is filed.

5. A Certificate of Debt will be filed for \$35,000. Payment of all monies owed shall be paid in full by monthly payments of \$1,488.91 within twenty-four (24) months, with interest accruing from the date the Consent Order is filed at the post-judgment interest rate as established by New Jersey Court Rule 4:42-11(a)(ii), which is 2% for the year 2006. Payment shall be submitted by certified check or money order payable to the State of New Jersey. Payment shall be sent via regular mail to William Roeder, Executive Director, Board of Medical Examiners, P.O. Box 183, Trenton, NJ 08625-0183.

6. Respondent shall return his original CDS registration to the New Jersey State Board of Medical Examiners, Post Office Box 183, Trenton, New Jersey 08625-0183, within ten (10) days of his receipt of a filed copy of this Order and shall not seek another CDS registration unless and until he is licensed by the Board.

7. Respondent shall immediately advise the DEA of this Order.

8. Respondent shall complete one hundred (100) hours of Board-approved community service within six (6) months of the filing of this Order in a non-medical setting. The Board delegates

approval of the community service work to Medical Director Joseph Gluck, M.D.

9. Prior to resuming active practice in New Jersey, Respondent, who indicates that in providing care to inmates he has made sure that HIV and HCV patients are treated by specialists, nonetheless shall successfully complete a Board-approved focused education course on infectious diseases, specifically concerning Hepatitis B and C and HIV. Respondent shall acquire approval of the course from the Board's Medical Education Director, Mary Blanks, M.D.

10. Respondent shall provide proof of compliance with the CME requirements for the 2005-2007 biennial period, before he may resume active practice.

11. Respondent agrees to divest himself of any ownership interest in a New Jersey health-care business, unless he is involved on a full-time basis in providing clinical care on-site, for the entire period of the suspension and shall inform the Board of any business interest he acquires thereafter, with detailed information regarding provisions for billing supervision.

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By: Sindy Paul, MD, MPH

Sindy Paul, M.D., M.P.H.
Board President

I have read and understood
the within Order and agree
to be bound by its terms.
Consent is hereby given to
the Board to enter this
Order.

Richard Hellander
Richard Hellander, M.D.

Consented to as to form.

Joseph M. Gorrell
Joseph M. Gorrell, Esq.
Counsel for Respondent